



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
1919 M STREET N.W.  
WASHINGTON, D.C. 20554

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## PROCEDURES ANNOUNCED FOR EXPEDITED PROCESSING OF APPLICATIONS FILED BY SILENT BROADCAST STATIONS

The Mass Media and International Bureaus have established expedited processing procedures to assist silent broadcast stations who, pursuant to recent legislation, will lose their licenses if they remain silent for 12 consecutive months and who need the Commission's grant of an application in order to resume operations.

### Effect of the Telecommunications Act of 1996

The Telecommunications Act of 1996 provides for the expiration of broadcast station licenses as a matter of law upon a station's failure to operate for 12 consecutive months. See Pub. L. No. 104-104, 110 Stat. 56, § 403(l) (1996). The license of any station that went silent on or before February 8, 1996, when the legislation was enacted, will expire on February 9, 1997 if the station has not resumed operations during the year. See Order, Silent Station Authorizations, FCC No. 96-218 (released May 17, 1996). Likewise, the license of any station that goes silent after February 8, 1996 will expire one year from whatever date silent status commenced if the station does not resume operations during the year. Id. A station's authorizations and pending applications will not toll or extend the 12-month period that triggers expiration.

### Expedited Processing Procedures

The responsibility for bringing a silent station back on the air is that of the licensee. Nevertheless, recognizing that the new legislation creates a need for expedient action on applications that are required to return a silent station to the air, we have established the following procedures:

- (1) With each application, the applicant should submit a transmittal letter prominently labelled "REQUEST TO EXPEDITE APPLICATION OF SILENT STATION." Each letter should include (a) the station's call sign, city and state; (b) the type of application; (c) a brief explanation of why action on the application is necessary to return to the air and the date that the station's license will expire if it remains off the air. A separate copy of the letter should also be sent or hand-delivered directly to the relevant address on the attached list. For applications already on file, a letter containing the same information should promptly be submitted to the relevant address on the list.
- (2) Limited staff resources and mandatory public notice periods restrict speed of disposal rates for all types of applications. The staff needs no less than 45 days from the date of filing to act on unopposed assignment and transfer applications. It generally needs 4 months to act on unopposed minor modification applications. Deficiencies in either type of application slow processing considerably. Therefore, silent station applicants should submit any application required for the resumption of operations as early as possible and should use extreme care in preparing those applications to ensure prompt action. Early submission is especially important if the applicant anticipates objections or petitions against the application, or if the application requires a rule waiver.
- (3) The applicant should notify the Commission promptly upon its return to the air. (see list)

The staff will use its best efforts to act on applications timely. However, the Telecommunications Act does not afford the Commission discretion to extend license terms. We therefore emphasize that, as a matter of law, the staff's inability to act on any application within a specific time can not prevent license expiration nor give rise to any equitable claim that the license term should be extended.

## **CONTACTS FOR SILENT BROADCAST STATIONS:**

### **AM, FM, FM Translator and Booster Stations, Radio Broadcast Experimental Stations:**

#### **Requests to Expedite:**

James Crutchfield  
Audio Services Division  
Mail Stop 1800B3, Room 332  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554  
FAX: (202) 418-1410

#### **Notification that a station has gone silent or resumed operations:**

##### **FM Stations:**

Glenn Greisman  
Audio Services Division  
Mail Stop 1800B3, Room 332  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554  
FAX: (202) 418-1410

##### **AM Stations:**

Sharlene Lofty  
Audio Services Division  
Mail Stop 1800B2, Room 344  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554  
FAX: (202) 418-1411

### **TV, TV Booster, TV Broadcast Experimental Stations (Expedite Requests & Notification):**

Doris McGhee  
Video Services Division  
Mail Stop 1800E1  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554  
FAX: (202) 418-2827

### **Low Power TV, TV Translator Stations (Expedite Requests & Notification):**

Hossein Hashemzadeh  
Video Services Division  
Mail Stop 1800E2  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554  
FAX: (202) 418-2827

### **International Broadcasting Stations (Expedite Requests & Notification):**

Charles H. Breig  
Planning & Negotiations Division  
International Bureau, FCC  
Mail Stop 0800 C1, Room 872  
2000 M Street, N.W.  
Washington, D.C. 20554  
FAX: (202) 418-0398